

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JOSEPH SIMON,

Plaintiff,

**9:19-cv-132
(GLS/DJS)**

v.

R. SUSICE et al.,

Defendants.

SUMMARY ORDER

On June 14, 2021, Magistrate Judge Daniel J. Stewart issued a Report-Recommendation and Order (R&R), which recommends that defendants R. Susice's and P. McGrath's motion for summary judgment, (Dkt. No. 41), be granted. (Dkt. No. 48.) Pending before the court are plaintiff *pro se* Joseph Simon's objections to the R&R. (Dkt. No. 53.)

Before entering final judgment, this court routinely reviews all report and recommendation orders in cases it has referred to a magistrate judge. If a party has objected to specific elements of the magistrate judge's findings and recommendations, this court reviews those findings and recommendations *de novo*. See *Almonte v. N.Y. State Div. of Parole*, No. Civ. 904CV484, 2006 WL 149049, at *3 (N.D.N.Y. Jan. 18, 2006). In

cases where no party has filed an objection, or only vague or general objections have been filed, this court reviews the findings and recommendations of the magistrate judge for clear error. *See id.* at *5.

Simon does not object to any specific element of Judge Stewart's findings. (Dkt. No. 53.) Indeed, Simon merely takes umbrage with the court and prison system. (*Id.*) Thus, his objections, if they can be considered objections at all, are general and subject to review for clear error only. *See Almonte*, 2006 WL 149049, at *4. The court has carefully considered the R&R, and finds no clear error in Judge Stewart's thorough analysis, which provides multiple, appropriate reasons for granting defendants' motion for summary judgment. Accordingly, the R&R is adopted in its entirety.

Accordingly, it is hereby

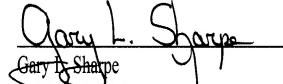
ORDERED that the Report-Recommendation and Order (Dkt. No. 48) is **ADOPTED** in its entirety; and it is further

ORDERED that defendants' motion for summary judgment (Dkt. No. 41) is **GRANTED**; and it is further

ORDERED that Simon's complaint (Dkt. No. 1) is **DISMISSED**; and it is further

ORDERED that the Clerk provide a copy of this Summary Order to the parties.

September 21, 2021
Albany, New York


Gary L. Sharpe
U.S. District Judge